

Town of Encampment  
Regular Meeting  
June 10, 2021  
7:00 p.m.

The Town of Encampment met in regular session at the Encampment Town Hall on Thursday June 10, 2021 at 7:00 p.m. with Mayor Greg Salisbury presiding. Council members present were Stas Banach, Bill Craig, Shannon Fagan-Craig and Gary Stull. Town personnel present were Doreen Harvey, Clerk/Treasurer; Kevin Shue, Police Chief and Brandon Jones, Bill Acord and Matt Cruickshank, Maintenance/Operators. Planning Commission Chairman Steve Reichert was also present. Public guests were Peggy Huntley and Troy Vorn. Audience members were Kim Lofice and Jon Nelson of North Fork Engineering.

The meeting was called to order by reciting the Pledge of Allegiance.

### AGENDA

Fagan-Craig moved to approve the agenda with the addition, Craig seconded and the motion was passed.

### MINUTES

Banach moved to approve the minutes of the May 13, 2021 regular meeting as distributed, Fagan-Craig seconded and the motion was passed.

### FINANCIAL STATEMENT/MONTHLY BILLS

Clerk/Treasurer Harvey advised that at 91.63% of the budget year revenues were at about 109% and expenses were at about 43.06% largely due to project delays. Stull moved to approve the May 2021 financial statement, the May 2021 payroll and contracted liabilities in the amount of \$32,678.04; late monthly bills in the amount of \$7,522.57 and the regular monthly bills in the amount of \$30,567.65, Craig seconded and the motion was passed. Harvey advised that due to the meeting falling early in the month there would likely late bills she would need to contact them about.

Blue-Cross/Blue-Shield \$4,046.64  
Carbon County Clerk \$12.00  
Carbon Cty Weed & Pest \$78.56  
Carbon Power & Light \$4,118.43  
Corkle Oil, LLC \$587.50  
Evergreen Disposal \$22.50  
Fired Up Rescue \$7,916.00  
Grainger, Inc \$175.96  
Mother Mtn Anglers \$100.00  
North Park Propane \$436.00  
Office Depot \$159.91  
One-Call of Wyoming \$7.50  
Quill Corp \$127.56  
Rocky Mtn Air Solutions \$56.80  
Saratoga Sun \$110.50  
Shively Hardware \$351.31

Thatcher Company \$1,294.87  
Union Wireless \$592.86  
Union Wireless, Misc. \$70.00  
UPRSWDD \$9,066.75  
Visa \$1,108.00  
Xerox Financial Services \$93.65  
Xesi Document Solutions \$34.35  
TOTAL \$30,567.65

#### PAYROLL TAXES AND LIABILITIES

AFLAC \$76.72  
Workers Compensation \$701.39  
WY Retirement System \$3,180.05  
WY Retirement- VFD \$337.50  
Unemployment Insurance \$133.39  
US Treasury \$1,829.34

US Treasury \$4,747.38  
Net Payroll \$21,672.27  
TOTAL \$32,678.04

#### LATE MONTHLY BILLS

Apex Communications \$2,086.72  
Heiman Fire Eq \$1,310.05  
InSource Solutions \$724.00  
MES Rocky Mountains \$998.00  
North Park Propane \$463.25  
RNB State Bank \$28.00  
Rocky Mountain Fire \$67.50  
Xesi \$22.36  
Visa (Reissue) \$1,822.69  
TOTAL \$57,522.57

### PUBLIC GUESTS

Peggy Huntley: Ms. Huntley was present to discuss her fence at 719 Rankin Ave. She noted that the Planning Commission had originally measured and used line-of-sight from the corner of the Opera House when they advised that her fence was 15' into the street. Ms. Huntley advised that planning Commission member Banach had made a site visit to try and help review the boundary line and that the neighboring property owner pointed out a survey cap in alley in the same block. As it turns out

the fence is only 2' 2" in the street. She noted that she had approached the Planning Commission seeking permission to leave it as is and that they referred her back to the Town Council. She asked that the council consider forgiveness and allow the fence to stay where it is at, stating it was not done by malice.

Discussion ensued about encroachments, precedence and enforcement. Planning Commission Chair Reichert noted the difficult role the Planning Commission would have if the council made exceptions, disbanding the reason for the Planning Commission. Craig and Stull asked for a description of the property pin, determining it was a legitimate property pin. Ms. Huntley advised that she did have permit to start with. However, the discrepancies surrounding the issuing of that permit were not discussed. She asked if Planning Commission members were allowed to use line of sight when verifying a property boundary. Banach noted that the Planning Commission does the best they can if the property owner does not have a survey. Craig interjected that it is the property owner's responsibility to know what they own.

Council members advised Ms. Huntley that while it seems excessive, they have to draw the line somewhere. She asked for clarification on grandfathered property. Mayor Salisbury noted that things permitted and built are allowed to stay until permission is sought to change it or take it down, then it has to be moved into compliance. He stated that he himself has faced the same issue. He noted that the council has to hold the line or the issue will happen over and over again. The request to allow her fence to remain in place was denied.

Troy Vorn: Mr. Vorn informed the council that he has a tree outside his fence that was struck by lightning a few years ago that has split, become unsafe and is dying. He advised them that he has a quote for \$600.00 and asked the council if they would consider paying for its removal or splitting the cost. He noted that the contractor would clean it up. He noted that if it breaks it could damage his house. Mayor Salisbury noted that the town uses a contractor out of Walden for tree removal, but they are not available until next spring. Discussion ensued about the fact that lots of property owners maintain trees in the street right-of-way. Craig noted that if something needs to be removed for a project there are no repercussions to the Town, adding that we do not trim them. He further advised that there are lots of trees in the streets, people are happy with that when trees are healthy, but when it dies, it's ours. Banach noted that it might be an at-risk situation. It was agreed that an insured contractor should be used. Options for contractors were discussed. Banach moved to approve the \$300.00 split for the removal of the tree, removing the liability from the Town with the tree being hauled away and the area cleaned, Stull seconded and the motion was passed. Clerk/Treasurer Harvey advised Mr. Vorn that she would need an invoice from the contractor for the \$300.00 once it is removed.

## **UNFINISHED BUSINESS**

Sewer Lagoon Improvement Project: Mr. Nelson reported that he had four things to go over. First, the procured screen from Vulcan Industries has been delivered and is stored at the plant. He advised that 90% of the payment for the screen is due upon delivery. Secondly, he noted that he had written a letter to the landfill district and attended their meeting and had a lengthy discussion about the handling of the waste the screen with accumulate. A copy of the letter was provided to the council. He advised that UPRSWDD will allow it uncontained up to 1 cubic yard a week for \$38.00 a month. It will be treated as incidental municipal waste since most of it will be things that should have been in household trash to start with. Drainage of the items will be natural. Mr. Nelson noted that he also

discussed the old landfill site with DEQ Solid Waste Division about the possibility of putting the sludge from the dredging project on it. He noted it is nutrient rich but could penetrate the monitoring wells causing them to spike. It could cause the reclamation process to begin all over again. He noted that he did not believe the benefit would be worth the risk. About 120 acres is needed and they have an open invitation from the property owner to the north that is still an option. We would have to truck a portion of it. He advised that it he knows it is not the answer to council wanted, but that he was given good feedback. The issue of the closure that should have taken place years ago was touched on again.

For the final matter, Nelson advised that he has a letter drafted for the SLIB board on the project timeline on the use of the loan which is being used for a portion of the Sewer Lagoon project. Nelson advised that with the current market where it is at, the disruption in the supply chain and current contractor prices, it would make sense to get out to bid this year, but allow more time for construction companies to gather information and do scheduling, giving a better chance for success with better contractors and lower bids. The current deadline for the project is January 30, 2022. He would like to extend that deadline to January 30, 2023. Principal forgiveness on the loan would not be at risk because a draw has already been made. A draw will also be submitted for the screen. He would like to pursue the extension with the council's permission. Fagan-Craig moved to approve the submission of the letter to SLIB asking for an extension of the deadline on the CWSRF loan, Craig seconded and the motion was passed.

**PUBLIC HEARING-FY20/21 Budget Amendment 3<sup>rd</sup> & Final Reading- Revenue & Expenses of \$1,872,155.12:** At 7:40 p.m. Mayor Salisbury opened a Public Hearing for the purpose of taking comment on the FY20/21 budget amendment. Hearing no comment, the hearing was closed. Stull moved to approve the 3<sup>rd</sup> & final reading of the FY20/21 budget amendment in the amount of \$1,871,155.12, Craig seconded and the motion was passed.

**PUBLIC HEARING- FY21-22 Budget 3rd & Final Reading- Revenue/Expenses \$2,222,543.45:** At 7:42 p.m. Mayor Salisbury opened a Public Hearing for the purpose of taking public comment on the FY21/22 budget. Hearing no comment, the hearing was closed. Clerk/Treasurer Harvey noted that the changes from the last reading were largely due to anticipated sewer project changes, the new computer support fee for the water plant software and operational changes. She noted that she anticipates the need to a water rate increase which is later on the agenda. Craig moved to approve the 3<sup>rd</sup> & final reading of the FY21/22 budget in the amount of \$2,222,543.45, Stull seconded and the motion was passed.

## **COMMITTEE REPORTS**

**Planning Commission:** Minutes of recent meeting were distributed.

**Police Department- Kevin Shue, Chief:** Chief Shue advised that he had submitted a grant application to the State Homeland Security Program and had only been awarded 1/3 of his request which would cover the cost of the repeater site upgrade. He advised that he will get with Fire Chief Nuhn and interim Fire Warden Rutherford about dividing it up for wildfire and to discuss the best ways for utilizing the grant.

**Department of Public Works:** New employee Matt Cruickshank was introduced to the council. He advised them that he is already learning a lot. Councilman Banach asked about the status with the

irrigation issue. Maintenance/Operator Jones advised that the parts are ordered, but that it is a bad year for delays due to manufacturers lack of resin. Discussion ensued about the type of pipe and the size. Inside and outside diameter was discussed and it was noted that the pipe is iron pipe size, which was a cheap way to build the system, but parts are harder to find. A number of suppliers were contacted. Mayor Salisbury noted that extra parts should be kept on stock. It was also noted that there are unknowns in the system itself. Craig noted that he met with public works and the also discussed the possibility of increasing the size of one of the low point drains.

Councilman Banach noted that he has advised people that it is okay to use a little bit of treated water to water trees, as long as it is not severely impacting the water plant and that they do not flood irrigate. Maintenance/Operator Jones advised that the use of water is impacting the water plant a bit. The matter of the cost to residents for the use of treated water will be discussed at a later meeting.

### **ADDITIONS TO THE AGENDA**

Carbon County Planning & Development- Notification of Brush Creek Ranch Planned Unit Development Application for Green Mountain: Mayor Salisbury noted that the plan was just received that that he had read through some of it. He noted that the Town of Encampment will get involved in the process. There are plans for 16 parcels with housing and uses for clients, friends year-round. He noted they were provided with a copy of our Source Water Protection Plan. He advised that the property owners are not known for playing by the permitting rules and advised that he does not believe the county can issue the application without the permits being in place. There is a lot to review and the deadline for response is June 21<sup>st</sup>, which is a short window. Planning Commission Chair Reichert stated that the plan seems very vague. Banach noted that agencies such as the DEQ would certainly have more clout than the Town in the issue. Mayor Salisbury advised that there will be a letter commenting on the issue sent to the Carbon County Planning and Zoning Department. He will also be attending the Public Hearing held in July.

### **NEW BUSINESS**

Resolution #2021-01 Camping in Public Areas for Specified Events: Clerk/Treasurer Harvey advised that the resolution is something that is passed annually since there is an ordinance against camping in Town in undesignated areas. She noted that she should have had it on the last meeting agenda and that the Disc Golf Tournament had been added to it. Banach noted that the resolution seemed reasonable with the areas defined. Fagan-Craig moved to approve resolution #2021-01 for Camping in Public Places During Specified Events, Banach seconded and the motion was passed.

Resolution 2021-02 Water and Sewer Rate increases- Effective July 01, 2021: Clerk/Treasurer Harvey noted that due to the new software support and the operational changes at the water plant she would like the council to consider a \$1.00 per month increase on water in addition to the \$3.00 increase on sewer. She noted that costs were sharply increasing and there are unknowns with the need to use contract operators to stay in compliance at the water plant. She noted that the town does not want to be in the position of subsidizing at year-end. Any excess revenue would be put in the reserve. The council questioned whether \$1.00 was enough and began discussing a \$2.00 increase. Craig noted that rather than have increases every year, the town generally goes larger and making the increase what it needs to be to start with. Mayor Salisbury noted that the Water Plant is getting older and needing extra parts and maintenance. The council agreed that the town would be better to implement a \$2.00 increase with the excess designated to the reserve. Stull moved to pass Resolution

#2021-02 increasing the Sewer Rate by \$3.00 per tap, per month and amending the increase of the water rate to \$2.00 per tap, per month effective July 1<sup>st</sup>, Craig seconded and the motion was passed.

Encampment Riverside Lions Club Malt Beverage Permit: Fagan-Craig moved to approve the application for the malt beverage permit for Woodchoppers Jamboree & Rodeo, Banach seconded and the motion was passed.

Ratify Decision to Hire Matt Cruickshank at hourly rate of \$17.00: Craig moved to ratify the decision to hire Matt Cruickshank at a rate of \$17.00 on a probationary basis, Stull seconded and the motion was passed.

Lien Release- Block 11- Lot 8- Paid in Full: Stull moved to release the property lien on Block 11 Lot 8, Fagan-Craig seconded and the motion was passed.

Community Yard Sale August 7<sup>th</sup>- Advertise for Interest: Clerk/Treasurer Harvey noted that she has already had inquiries on the event. She advised that she would like to place an advertisement for interest in participating in the event. Harvey noted that the Town will place an advertisement with addresses only for the bringing people to town for the event. Craig asked about excess vehicles and town equipment. Harvey advised that surplus property has to be disposed of by bid or auction. Fagan-Craig moved to advertise for interest in the community wide yard sale, Stull seconded and the motion was passed.

Ratify Purchase of Chemical for the Water Plant- Thatcher \$1,294.87: Stull moved to ratify the purchase of the necessary chemical for the water plant from Thatcher in the amount of \$1,294.87, Craig seconded and the motion was passed.

Ratify Purchase of pH Probes- Rosemount-Emerson \$742.02: Craig moved to ratify the purchase of the pH probes for the water plant, Banach seconded and the motion was passed.

Irrigation Issue- Purchase of Repair Parts- Ferguson- Estimate \$704.02 Including Freight: Clerk/Treasurer Harvey noted that the parts have already been ordered due to the situation. Fagan-Craig moved to ratify the purchase of the irrigation repair parts, Craig seconded and the motion was passed.

CCVC Grant Contract- Music in the Park \$500.00: Clerk/Treasurer Harvey noted that the Town was awarded less than what they asked for, but that it would cover a portion of the advertising. Stull moved to approve the Carbon County Visitors Council grant contract in the amount of \$500.00, Fagan-Craig seconded and the motion was passed.

Fireworks Purchase- Bandit Fireworks: Clerk/Treasurer Harvey advised that she has spoken with Bandit Fireworks and that they advised that things were more expensive than last year. She did not know the percentage of the increase. She noted that the town spent \$2,000.00 on the event last year and that a lot of the recreation budget has remained unspent. Fagan-Craig moved to purchase \$2,500.00 in fireworks, Craig seconded and the motion was passed. Mayor Salisbury asked to be sure that the donation bucket was passed at the event.

Community BBQ Discussion: Mayor Salisbury asked if anyone planned to be present to help if the BBQ was held. Craig advised he did not know, both the others agreed they should be there with Jon Nelson offering to come help. Consensus was reached that the BBQ should be held this year. Attendance will be tough to estimate, but it will be held along with the Music in the Park Event. Clerk/Treasurer asked the council if they would like to consider allowing her to purchase the non-perishable supplies and reimburse her before the end of the month, putting some of the expense in this ears budget. Fagan-Craig moved to approve the purchase and reimbursement of the non-perishable supplies for the Community BBQ, Stull seconded and the motion was passed.

Executive Session- Personnel: At 8:12 p.m. Fagan-Craig moved to go into executive session for the purpose of discussing personnel, Stull seconded and the motion was passed. Those in attendance were Mayor Greg Salisbury and Councilmembers Stas Banach, Bill Craig, Shannon Fagan-Craig and Gary Stull. At 8:45 p.m. Craig moved to return to regular session and seal the minutes and place them in the safe.

Fagan Craig moved to adjourn, Craig seconded and the motion was passed. After a short hesitation, the mayor then asked the council to return into session, because discussed actions had not been taken. Craig moved to go back into regular session, Stull seconded and the motion was passed.

Craig moved to utilize contract operators for the water and sewer operations until our operators are properly certified, with the compensation for those persons to be discussed at a later date, Fagan-Craig seconded and the motion was passed. Mayor Salisbury stated that he did not want our operators to contact DEQ directly without his permission and involvement. Maintenance/Operator Jones asked if that included questions about nitrates or monitoring. Mayor Salisbury reiterated that he would like to be advised first.

**CORRESPONDENCE:**

**WAM, WAMCAT, WARWS, UPRSWDD, CCVC, CCSPTJPB, SCWEMS, State of Wyoming, info & newsletters.**

**Wyoming Community Foundation-GEOH Endowment Fund**

**CCEDC- Celebrate Carbon County Black Tie Event- August 20th**

**Wyoming Community Development Authority Annual Report**

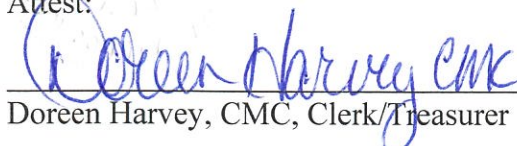
With no further business, Craig moved to adjourn at 8:48 p.m. p.m., Stull seconded and the motion was passed.

Doreen Harvey, CMC  
Clerk/Treasurer

Approved: July 8, 2021

  
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Greg Salisbury, Mayor

Attest:

  
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Doreen Harvey, CMC, Clerk/Treasurer